

DEC. 11. 2006 3:52PM

ZILKA-KOTAB, PC

NO. 5059 P. 1

TO: USPTO

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Date: December 11, 2006	Phone Number	Fax Number
To: Examiner Jean	(571) 273-8300	
From: Kevin J. Zilka		

Docket No.: AMDCP010

App. No: 10/039,273

Total Number of Pages Being Transmitted, Including Cover Sheet: 05

Message:

Please deliver to Examiner Jean.

Thank you,

Kevin J. Zilka

☒ Original to follow Via Regular Mail ☐ Original will follow Via Overnight Courier

\*\*\*\*\*  
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AT (408) 971-2573 AT YOUR EARLIEST CONVENIENCE

December 8, 2006

DEC. 11. 2006 3:53PM

ZILKA-KOTAB, PC

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NO. 5059 P. 2

DEC 11 2006

Practitioner's Docket No. AMDCP010

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Tal Givoly et al.

Application No.: 10/039,273

Group No.: 2151

Filed: October 23, 2001

Examiner: Jean

For: SYSTEM, METHOD AND COMPUTER PROGRAM PRODUCT FOR CONTRACT-BASED AGGREGATION

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed August 11, 2006, for a second time rejecting claims 1-21 and 23-26.

1. STATUS OF APPLICANT

This application is on behalf of other than a small entity.

12/12/2006 TBESHAH1 00000005 501351 10039273  
02 FC:1251 120.00 DA

CERTIFICATION UNDER 37 C.F.R. " 1.8(a) and 1.10\*  
(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10\*

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Date:

12/11/2006

Signature

01 FC:1401

500.00 DA

Erica L. Farlow

(type or print name of person certifying)

\* Only the date of filing (" 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under " 1.8 continues to be taken into account in determining timeliness. See " 1.703(f). Consider "Express Mail Post Office to Addressee" (" 1.10) or facsimile transmission (" 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Notice of Appeal from the Primary Examiner to Board—page 1 of 2

DEC 11 2006

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for the Notice of Appeal is:

Other than a small entity	\$500.00
Notice of Appeal fee due	\$500.00

**3. EXTENSION OF TERM**

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for one month:

Fee	\$120.00
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If an additional extension of time is required, please consider this a petition therefor.

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee	\$500.00
Extension fee	\$120.00
<b>TOTAL FEE DUE</b>	<b>\$620.00</b>

**5. FEE PAYMENT**

Authorization is hereby made to charge the amount of \$620.00 to Deposit Account No. 50-1351 (Order No. AMDCP010).

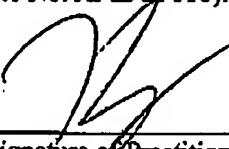
Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 50-1351 (Order No. AMDCP010).

Reg. No.: 41,429  
Tel. No.: 408-971-2573  
Customer No.: 28875

  
\_\_\_\_\_  
Signature of Practitioner  
Kevin J. Zilka  
Zilka-Kotab, PC  
P.O. Box 721120  
San Jose, CA 95172-1120  
USA

Notice of Appeal from the Primary Examiner to Board—page 2 of 2